

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Andrew Bautista

YOB: 1994

Principal

United States

Case Number:

M-19-1149-M

Lorena Oviedo

YOB: 1994

Co-Principal

United States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about May 16, 2019 in Hidalgo County, inthe Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Asley Danilo Ramirez-Carpio, a citizen of Guatemala, and Cesar Reyes-Garcia, a citizen of Mexico, along with four (4) other undocumented aliens, for a total of six (6) who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Los Ebanos, Texas to another location near Penitas, Texas, by means of a motor vehicle

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONYI further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

On May 16, 2019, a Texas Department of Public Safety (DPS) Trooper conducted a traffic stop on a blue Jeep for a seatbelt violation. As the Trooper approached the vehicle, he observed multiple subjects inside the vehicle including some laying in the cargo area. The Trooper identified the driver as Andrew BAUTISTA and front passenger as Lorena OVIEDO. The Trooper subsequently requested the assistance from Border Patrol; Supervisory Border Patrol Agent (SBPA) arrived on scene to assist the Trooper. After questioning, the SBPA determined that the six rear passengers were illegally present in the United States, BAUTISTA and OVIEDO were identified as United States citizens. All subjects were placed under arrest and transported to the Border Patrol Station for processing.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

 Yes No

Signature of Complainant

Gerardo Montalvo Border Patrol Agent

Printed Name of Complainant

at McAllen, Texas

City and State

Signature of Judicial Officer

May 17, 2019 - 3:29 p.m.
DateJuan F. Alanis, U. S. Magistrate Judge
Name and Title of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-19-1149 -M

RE: **Andrew Bautista** 0
Lorena Oviedo 0

CONTINUATION:

PRINCIPAL STATEMENT:

Andrew BAUTISTA was advised of his Miranda Rights and agreed to provide a sworn statement without an attorney.

BAUTISTA, a United States citizen, stated he was offered a job to pick up six illegal aliens near Sullivan City, Texas for \$1,200 (\$200 USD per person). BAUTISTA stated he accepted the job offer and decided to drive from his home in Harlingen, TX to Sullivan City, TX for the only purpose of picking up the illegal aliens. BAUTISTA stated that he was provided an address to the pickup location. BAUTISTA stated he proceeded to the location, picked up the illegal aliens, and was subsequently arrested. BAUTISTA stated he was supposed to drop off the illegal aliens in McAllen, Texas.

CO-PRINCIPAL STATEMENT:

Lorena Oviedo was advised of her Miranda Rights and agreed to provide a sworn statement without an attorney.

OVIEDO, a United States citizen, stated she was offered a job to pick up illegal aliens for \$100 (USD) per person. OVIEDO stated she knew it was illegal to transport illegal aliens. OVIEDO stated that she and her husband (BAUTISTA) drove about an hour for the only purpose of picking up the illegal aliens, OVIEDO was riding in the front passenger seat. OVIEDO stated that she was given a location to pick up the people. OVIEDO stated that a total of six people boarded the vehicle, three of them boarded the rear cargo area. OVIEDO admitted that she instructed the three people to lay down in the cargo area in order to avoid detection. OVIEDO stated they were supposed to drop off the illegal aliens in McAllen, Texas.

MATERIAL WITNESS STATEMENTS:

Asley Danilo RAMIREZ-Carpio and Cesar REYES-Garcia were read their Miranda Rights and agreed to provide a sworn statement without an attorney.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-19-1149 -M

RE:	Andrew Bautista	0
	Lorena Oviedo	0

CONTINUATION:

RAMIREZ, a citizen of Guatemala, stated he made his smuggling arrangements and his brother paid \$2,000 (USD) for him to get smuggled into the United States. RAMIREZ stated he crossed the river in a raft. RAMIREZ stated he was told to wait at a location for a blue vehicle. RAMIREZ stated that after waiting for about eight hours, they were called by the foot-guide and were told the vehicle was outside. RAMIREZ stated that they boarded the vehicle and heard the driver tell them to relax.

RAMIREZ identified Andrew BAUTISTA, through an official CBP photo lineup, as the driver.

RAMIREZ identified Lorena OVIEDO, through an official CBP photo lineup, as the front passenger of the vehicle.

REYES, a citizen of Mexico, stated he paid \$2,800 (USD) to get smuggled into the United States. He was supposed to pay an additional \$8,000 (USD) to be smuggled further north. REYES stated that he crossed the river and was instructed to board a blue vehicle that would arrive near a road at specific time. REYES stated that a blue Cherokee (jeep) arrived, picked them up, and was supposed to drop them off in McAllen, Texas. REYES stated the driver instructed them to get in the vehicle. REYES stated that three people were instructed to lay in the cargo area and for them not to get up.

REYES identified Andrew BAUTISTA, through an official CBP photo lineup, as the driver who picked them up.

REYES identified Lorena OVIEDO, through an official CBP photo lineup, as the front passenger of the vehicle.